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EXAMINER

JARRETT, SCOTT L

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/735,087	Applicant(s) KOGAN ET AL.	
	Examiner SCOTT L. JARRETT	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,10-12 and 18-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,10-12 and 18-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This **Final** Office Action is in response to Applicant's amendment filed January 25, 2011. Applicant's amendment amended claims 1, 10 and 18. Claims 8, 9, 13-17 and 22-29 being previously withdrawn. Currently claims 1-7, 10-12 and 18-21 are pending.

Response to Amendment

2. The 35 U.S.C. 101 rejection of claims 1-7 in the previous office action is withdrawn in response to Applicant's amendment to claim 1.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 10 and 18 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed January 25, 2001 have been fully considered but they are not persuasive. Specifically Applicant argues that

- a) the Applicant's do not concede the officially cited facts, "based on the assertion that the statement was overvbroad." (Remarks: Last Paragraph, Page 6)
- b) the prior art of record fails to teach or suggest weblog members include both members who are and are not workflow users (Remarks: Last Paragraph, Page 8; Paragraphs 1-2, page 9; Second to Last Paragraph, Page 10);

- c) "To use the features on MS Project, you must be executing MS Project and be a workflow user." (Remarks: Last Paragraph, Page 9)
- d) Clark only teaches users who are members of the workflow would be involved in the weblog (Remarks: Last Paragraph, Page 9)
- e) Udell only vaguely suggests a weblog in a work environment (Remarks: Last Paragraph, Page 10).

In response to applicant's Applicant(s) attempt at traversing the Official Notice findings as stated in the previous Office Action is inadequate and untimely (argument a above). Adequate traversal is a two step process. First, Applicant(s) must state their traversal on the record. Second and in accordance with 37 C.F.R. 1.111(b) which requires Applicant(s) to specifically point out the supposed errors in the Office Action, Applicant(s) must state why the Official Notice statement(s) are not to be considered common knowledge or well known in the art.

In this application, while Applicant(s) have clearly met step (1), Applicant(s) have failed step (2) since they have failed to argue why the Official Notice statement(s) are not to be considered common knowledge or well known in the art. Because Applicant(s)' traversal is inadequate, the Official Notice statement(s) are taken to be admitted as prior art. See MPEP 2144.03.

Additionally the examiner has provided several references supporting the officially cited fact of enabling permissions, privileges, roles, and the like – including at least the following:

- Lindhal et al., Weblogs: Simplifying Web Publishing (2003), as cited in the office action mailed March 26, 2010:

- "Site administrators can **restrict content** production on a **per-user basis**.", Column 3, Paragraph 1, Page 114;

- "facilities to assign **roles** and **privileges** within the blogging system.", Column 1, Last Bullet, Page 115.

- Web Crossing, Inc. Releases New Weblog Plug-in, as cited in the office action mailed March 26, 2010 (Paragraph 1, Page 1; Paragraphs 1, 3, Page 2);

- Doctorow et al., Essential Blogging, as cited in the office action mailed March 26, 2010 (Last Three Paragraphs, Page 59; Last Paragraph, Page 60; Last Paragraph, Page 119; Paragraphs 1, 3, Page 120; Figures 3-18, 5-25)

Additionally it is noted that independent claims 1, 10 and 18 were rejected 35 U.S.C. 103 under Schwanke, U.S. Patent Publication No. 2003/008508 in view of Udell, Telling a Story (2001) and further in view of Doctorow et al., Essential Blogging (2002) wherein the Doctorow et al. reference was applied to show the teaching of managing weblogs comprising various groups/roles within a weblog including but not limited to first weblog members with permission to view weblog information and second weblog members with permission to view and post weblog comments/workflow information (Last Three Paragraphs, Page 59; Last Paragraph, Page 60; Last Paragraph, Page 119; Paragraphs 1, 3, Page 120; Figures 3-18, 5-25).

Examiner notes that Applicant did not argue the teachings of Doctorow et al.

In response to Applicant's argument that the prior art of record fails to teach the new claim limitation of weblog members including both members who are and are not workflow users (Applicant argument b above), the examiner respectfully disagrees.

Initially it is noted that the applicant is relying on several phrases which are not clearly defined in the instant application. Accordingly, the following phrases have been given their broadest reasonable interpretation in light of the specification and knowledge of those skilled in the art at the time of the invention: workflow users and weblog members.

For example workflow users may include any or all of the following: any user who interacts with, views, posts, receives a data feed or otherwise is directly or tangentially involved in the workflow (e.g. workflow actors, stakeholders, customers, managers, people interested in the weblog/workflow, or the like). Given this definition the examiner fails to understand how any weblog member could be anything but a workflow user.

For the purposes of examination, given the broadest reasonable interpretation of workflow users and weblog members discussed above, examiner equated MS Project teachings as follows:

- workflow users to include any of the following: project team members, those directly assigned project tasks/assignments, the project manager managing the project, anyone who can login to MS Project Central or receive emails, resources listed in MS Project, workgroup members;

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- weblog members to include any of the following: any user who can login to MS Project Central, users with Window User Accounts or receive emails sent via MS Project

MS Project, in Pyron et al. Using Microsoft Project (MS1), teaches a method and system for tracking the status of a workflow comprising: weblog members and workflow users, wherein the weblog members include members who are and are not workflow users (reference MS1: Portfolio View: Paragraph 1, Page 66, emphasis added,

“Viewing Other Project Plans One of the collaborative features of Project Central is the **ability to see project and resource information for projects you might not be assigned to**. The *Project Central Administrator is responsible for setting the security to determine the projects and resource assignments you are authorized to see*.

There are two functions available to you. The first is *View Your Portfolio*, which displays a list of projects. *You can select a project to see more detail, such as the tasks and resources.*” – wherein it is clear that users/members of the MS Project Central web-based system can view not only the projects for which they are active participants in (workflow users) but also projects that they are not workflow users in (“you might not be assigned to”; i.e. workflows/projects that they are not participating in, not workflow users of).

MS Project further teaches “**Microsoft Windows user account** - All the information that defines a user to Microsoft Project Central, including the username and any required password, **membership in groups, and the rights and permissions associated with the user.**” (Glossary, emphasis added).

Additionally MS Project, in Security for Microsoft Project Central (2000, MS2), teaches a weblog (web pages of MS Project Central) accessible to weblog members (MS Project Central User Directory, Last Paragraph, Page 6; Figure 6 – assign enterprise and project roles to users/resources; Roles, Page 5) wherein the weblog members include members who are and are not workflow users (i.e. views are provided to users/members based on their role in the enterprise and/or the project (specific workflow) e.g. Portfolio View, Assignment View- Paragraph 2, Page; “Categories To *specify which views a specific team member can see*, you assign the views to a category. You define a category by mapping the list of users to the list of available projects and views. For each category, **you can specify the users that belong to that category, the projects those users can see, and the views with which they can look at the portfolio of projects, individual projects and resource assignment information.**”, Last Paragraph, Page 8, emphasis added; Paragraphs 1-2, Page 9; Figures 7,8 – permissions view; Figure 9)

In response to Applicant’s apparent suggestion that workflow users are only users who fulfill a role in the workflow, by performing one or more of the workflow steps (Remarks: Last Paragraph, Page 8), these features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Additionally whether or not a weblog member is or is not a workflow user merely recites non-functional descriptive and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific “status” of a weblog member. Further, the structural elements remain the same regardless of the specific “status” of a weblog member. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.

In response to Applicant’s argument that “To use the features on MS Project, you must be executing MS Project and be a workflow user.”, the examiner respectfully disagrees (Applicants argument c above).

MS Project, specifically the web-based MS Project Central (screen shots provided in the rejection below), clearly teaches a web-based system and method for posting information regarding a plurality of workflows (projects) wherein workflow users may or may not belong to one or more of the workflows but can still access via the MS Project Central web site information related to a plurality of the workflows (projects); (i.e. users/members only need a web browser to view/access/post information to/from the workflow/project; Figures 15.13; 15.17-15.23; Team Status, Pages 25-26).

MS Project further teaches utilizing email to send, receive and distribute workflow information (e.g. status reports, updates, etc.) which clearly teaches only the need for an email client (Figures 15.13; 15.17-15.23; Team Status, Pages 25-26).

In response to Applicant's argument that Clark only teaches users who are members of the workflow would be involved in the weblog, the examiner respectfully agrees (Applicant's argument d above). Clark does not specifically teach the newly claimed feature of weblog members who are and are not workflow users as now claimed. However, MS Project teaches weblog members who are and are not workflow users, as discussed above.

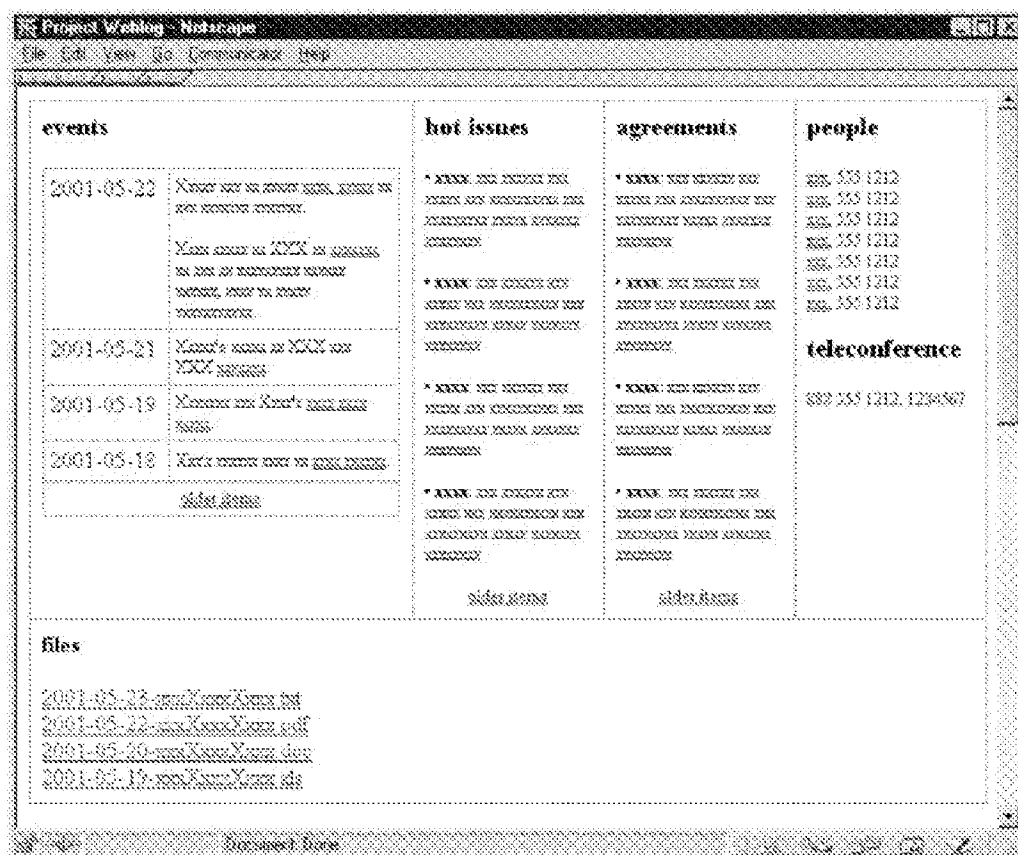
In response to Applicant's argument that Udell only vaguely suggests a weblog in a work environment, the examiner respectfully disagrees.

Udell, Telling a Story (2001) clearly teaches utilizing a weblog for project management in a work environment (Subtitle: The weblog as a project management tool).

More specifically Udell teaches a system and method for tracking the status of a workflow (project) comprising: generating a weblog on a computing device including workflow users/weblog members for posting (submitting, sending, publishing, syndicating, etc.) an entry (data, text, etc.; e.g. timeline, commentary, events, etc.; Bullets 1-3, Page 3; Figure on Page 3) in a weblog ("project weblog"; blog, online diary, forum, etc.) to indicate that a workflow action (task, activity, event, etc.) has occurred

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(Paragraph 3, Page 2; “..underlying the weblogging movement are two technological trends – RSS headline syndication, and pushbutton webpublishing that lay the groundwork for better ways to publicize, and monitor activities of professional groups. ” - examiner note: RSS headline syndication is the automatic publishing of events via an RSS feed; “Last Paragraph, Page 3, “..., every message (and every file attachment) exchanged in a project context would be captured by default (unless marked as private)” - i.e. automatic capture and publish of events within the project/workflow and access control are taught; .



In a related article (Udell, Publishing a project weblog, 2003), to which Udell refers/links to ([2]), Udell is clearly teaches the old and well known utilization of weblogs

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in project management in a work environment (Title: "Publishing a project Weblog"; "**A couple of years ago** I predicted [2] that **Weblogs would emerge within the enterprise as a great way to manage communication**. I'm even more bullish on the concept today. If you're managing an IT project, you are by definition a communication hub. **Running a project Weblog is a great way to collect, organize and publish the documents and discussions that are the lifeblood of the project** and to shape these raw materials into a coherent narrative.", Second to Last Paragraph, Page 1, emphasis added).

Udell further teaches that readers can subscribe to the project weblog based on their interests (using RSS) likening the project manager to a journalist creating a home page to deliver at-a-glance overview of the project (Paragraphs 1, 3, Page 2).

It is noted that the officially cited facts in the previous office action(s) as presented are herein after prior art. Specifically it has been established that it was old and well known in the art at the time of the invention:

- to utilize weblog (blogs, bulletin boards, message boards, etc.) when managing projects as more specifically to provide a feed to an aggregator, the aggregator receiving entries from a weblog wherein the feed comprises provided an RSS feed from a plurality of weblogs for syndication is old and very well known wherein such aggregators/RSS feeds provide a simple way to keep users informed of changes in a plurality of web sites, blogs, weblogs or other online content; and

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- to enable varying levels of permissions, privileges, authorizations and/or access to various groups (roles) of weblog members.

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Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-7, 10-12 and 13-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Project 2000 as evidenced by at least Pyron et al., Using Microsoft Project 2000 (2000; MS Project, herein after MS1) and Security for Microsoft Project Central (2000, herein after MS2) in view of Clark, U.S. Patent No. 7,062,449.

Initially it is noted that the following phrases have been given their broadest reasonable interpretation in light of the specification and knowledge of those skilled in the art at the time of the invention. For the convenience of the Applicant the following mapping of the phrases to the MS Project reference is provided:

- workflow users to include any of the following: project team members, those directly assigned project tasks/assignments, the project manager managing the project, anyone who can login to MS Project Central or receive emails, resources listed in MS Project, workgroup members;

- weblog members to include any of the following: any user who can login to MS Project Central, users with Window User Accounts or receive emails sent via MS Project

Regarding Claims 1, 10, and 18 MS Project teaches a system and method for tracking the status of a workflow (project) comprising:

- instantiating (starting, invoking, enacting, executing, etc.) an instance of a workflow (project) on a computing device by a workflow user (e.g. project manager, administrator), the user being associated with a role in the workflow (e.g. project management, team member/resource, etc.) having a plurality of workflow steps (e.g. project manager vs. team member, etc.; reference MS1: Figures 15.5 – project members posting project tasks/workflow step status; Bullets 1, 3-5, Page 22; Figures 15.3, 15.4, 15.5; Personal Gantt, Figures 15.3, 15.45);

- generating a weblog (log, journal, diary, web page/site, posting, discussion board, bulletin board, threaded discussion, etc.) on a computing device to track an instance of the workflow (project; e.g. Project Central Home Page, messages, posted actions, tasks, etc.; reference MS1: Bullets 1, 3-5, Page 22; Figures 15.3, 15.4, 15.5),

- assigning the at least one member to the weblog (e.g. personal home/project page, workgroups; reference MS1: TeamAssign; Steps 1-6, Pages 108-109; Figures 15.6, 15.8-15.9, 15.45);

- the weblog accessible to weblog (team/project) members wherein members have the ability to post and view workflow status and weblog comments (notes; TeamUpdate, Team Status Update, Timesheet – all update project and task status on the project central web site; reference MS1: Steps 1-4, Page 31; Figures 15.17-15.19; 15.28-15.29, 15.36; project task, Team Status; Steps 1-4, Pages 25-26; Pages 117, 122; Figure 15.15-15.17; Figure 15.36 – responding to a status report);

- wherein the weblog members include members who are and members who are not workflow users (reference MS1: Portfolio View: Paragraph 1, Page 66, emphasis added, “*Viewing Other Project Plans* One of the collaborative features of Project Central is the **ability to see project and resource information for projects you might not be assigned to**. The *Project Central Administrator is responsible for setting the security to determine the projects and resource assignments you are authorized to see*. There are two functions available to you. The first is *View Your Portfolio*, which displays a list of projects. *You can select a project to see more detail, such as the tasks and resources.*” – wherein it is clear that users/members of the MS Project Central web-based system can view not only the projects for which they are active participants in (workflow users) but also projects that they are not workflow users in (“you might not be assigned to”; i.e. workflows/projects that they are not participating in, not workflow users of; reference MS2: teaches a weblog (web pages of MS Project Central) accessible to weblog members (MS Project Central User Directory, Last Paragraph, Page 6; Figure 6 – assign enterprise and project roles to users/resources; Roles, Page 5) wherein the weblog members include members who are and are not workflow users (i.e. views are provided to users/members based on their role in the enterprise and/or the project (specific workflow) e.g. Portfolio View, Assignment View- Paragraph 2, Page; “Categories To *specify which views a specific team member can see*, you assign the views to a category. You define a category by mapping the list of users to the list of available projects and views. For each category, **you can specify the users that belong to that category, the projects those users can see, and the**

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views with which they can look at the portfolio of projects, individual projects and resource assignment information.”, Last Paragraph, Page 8, emphasis added;

Paragraphs 1-2, Page 9; Figures 7,8 – permissions view; Figure 9);

- posting an entry in the weblog to indicate that a workflow action (project task) has occurred wherein the entry being physically viewable on a display device to weblog members (TeamUpdate, Team Status Update, Timesheet; reference MS1: Paragraph 1, Page 118; Steps 1-4, Page 31; Figures 15.17-15.19; 15.28-15.29, 15.36).

Figure 15.3. The Project Central home page provides an overview of messages, tasks, and status

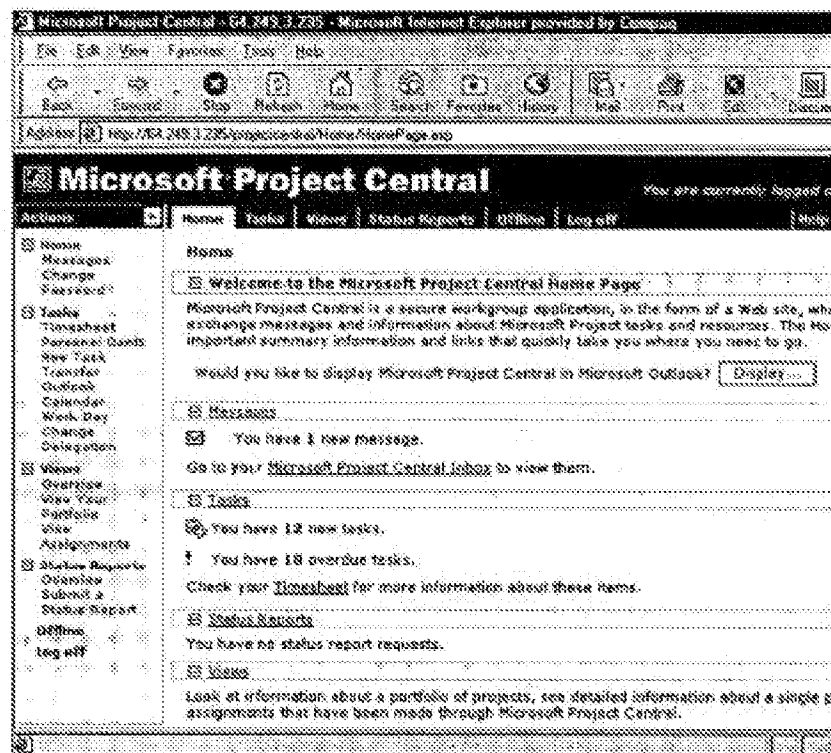


Figure 1: MS1

MS Project does not expressly teach automatically posting an entry in the weblog to indicate that a workflow action as occurred, the entry being physically viewable on a display device to weblog members as claimed.

Clark teaches a system and method for tracking the status of a workflow comprising automatically determining, updating and posting (notifying, logging, recording, etc.) when workflow action status change - specifically automatically logging when a workflow action is completed (Column 13, Lines 5-43; Figure 11, Elements 400, 410) in an analogous art of workflow status/progress tracking for the purpose of obtaining real-time and/or accurate workflow action status (Column 1, Lines 60-68; Column 13, Lines 30-36).

Clark further teaches a system and method wherein the workflow is executed within a first application (task processing system; Figure 11; “The collected verb and object data is then processed by a processor database system 412 and is generated into a current task table 414. The verbs (V) and objects (O) of the current task table 414 are then compared with historical verbs and object data from table 416. Table 416 is essentially a look-up table containing information relevant to all project (i.e. P1, P2, P3, . . .) and task data within the **data processing system** 410. When the task data processing system 410 determines the current task is associated with a pre-existing project or task within that project, the processing system 410 **automatically begins to update the task and project data of that particular project.**”; Column 13, lines 20-27;

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Figure 2, Element 8) and the workflow status updates are executed within a second (separate, different, etc.) application (“Another feature of the present invention relates to the ability to capture task data and **automatically update the project status** based upon the captured data. FIG. 11 provides a block flow diagram of an automatic project updating system 400. The automatic project updating system 400 is comprised of a **task data processing system** 410 and various mediums which may provide data such as a computer 420, phone or fax machine 430, copier 440, laptop or similar device (i.e. palm pilot) 450, cell or wireless phone 460, or any other medium which may provide data.”, “Therefore, **project data is continuously and automatically updated as tasks are being completed**. The **automatic project updating system** 400 enables users to obtain accurate and **real time data regarding projects and associated tasks** under that project.”; “automatic project update system”, emphasis added; Column 13, Lines 5-14, 27-37; Figure 11, Elements 400, 410; Figure 2, Element 7).

It would have been obvious to one skilled in the art at the time of the invention that they system and method for tracking status of a workflow as taught by MS Project would have benefited from automatically posting an entry in the project to indicate that a workflow action has occurred in view of the teachings of Clark; the resultant system and method enabling users to automatically obtain real-time project status (Clark: Column 1, Lines 60-68).

Further since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it

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did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Further it is noted that the number and/or arrangement of the software ("applications", software modules, components or the like) for executing the various elements of the system/method (e.g. weblog, workflow) simply represents functional equivalents wherein the method/system steps and results remain the same regardless of the number/arrangement of the "applications" within the system.

Additionally it is noted that it was known at the time of the invention that merely providing an automatic means to replace a manual activity which accomplishes the same result is not sufficient to distinguish over the prior art, *In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958). For example, simply automating the step of posting an entry in the weblog to indicate that a workflow action has occurred gives you just what you would expect from the manual step as shown in MS Project. In other words there is no enhancement found in the claimed step. The claimed scoring step only provides automating the manual activity. The end result is the same as compared to the manual method. A computer can simply iterate the steps faster. The result is the same.

Accordingly it would have been obvious to a person of ordinary skill in the art at the time of the invention to automate the posting an entry in the weblog to indicate that a workflow action has occurred step because this would speed up the process of

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matching policies with customers, which is purely known, and an expected result from automation of what is known in the art.

While MS project teaches controlling access privileges to the system/method for tracking workflow status (login/password; Figure on Page 2) neither MS Project nor Clark expressly teach a first set of weblog members with view only permissions/privileges and a second set of weblog members with view and post (edit) permissions/privileges as claimed.

Official notice is taken that it is old and very well known to enable varying levels of permissions, privileges, authorizations and/or access to various groups (roles) of weblog members (e.g. readers vs. authors, blog members vs. owners, etc.). As evidenced by at least the following references:

- Web Crossing, Inc. Releases New Weblog Plug-in (Paragraph 1, Page 1; Paragraphs 1, 3, Page 2);
- Lindahl et al., Weblogs: Simplifying Web Publishing (Last Bullet, page 115)
- Doctorow et al., Essential Blogging (Last Three Paragraphs, Page 59; Last Paragraph, Page 60; Last Paragraph, Page 119; Paragraphs 1, 3, Page 120; Figures 3-18, 5-25)

It would have been obvious to one skilled in the art at the time of the invention that the system and method for tracking the status of a workflow via a weblog as taught

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by MS Project and Clark would have benefited from the well know practice of access, privilege, permission control of a weblog wherein a first set of weblog members have view only permissions/privileges and a second set of weblog members with view and post (edit) permissions/privileges in view of the teachings of official notice since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

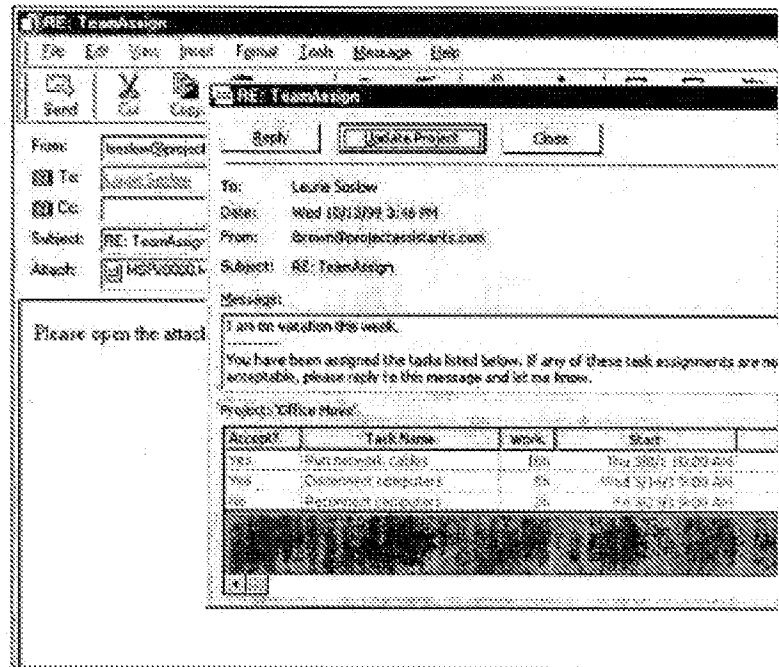
Additionally applicant notes that whether or not a weblog member is or is not a workflow user merely recites non-functional descriptive and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific "status" of a weblog member. Further, the structural elements remain the same regardless of the specific "status" of a weblog member. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.

Regarding Claim 2 MS Project teaches a system and method for tracking the status of a workflow wherein the workflow action comprises the completion of a

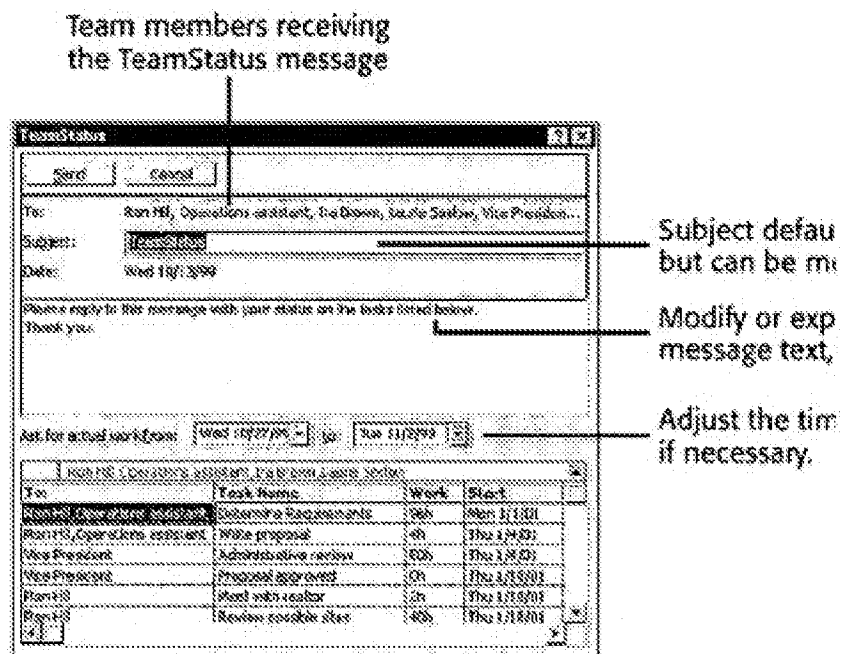
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workflow step (project task, Team Status; Steps 1-4, Pages 25-26; Pages 117, 122;

Figure 15.15-15.17; Figure 15.36 – responding to a status report).



Updating the Project Plus with TeamAssign Replies



Regarding Claim 3 MS Project teaches a system and method for tracking the status of a workflow wherein the workflow action comprises the execution of a workflow exception (status report: hot issues, change requests; late tasks, etc.; Figures 15.21, 15.34, 15.39).

Figure 15.21. This icon displays the tracking status of the task.

Phase One	Widget One	32h
Design	Widget One	8h
Design	Widget One	8h
Design	Widget One	8h
Design	Widget One	8h
Design	Widget One	8h

A status update for this task has been sent to Ira Brown but has not yet been updated in the project.

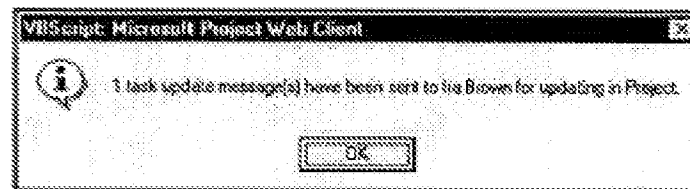
This task was scheduled to finish on 10/6/99 5:00 PM but it has not yet been completed.

Regarding Claims 4 and 19 MS Project teaches a system and method for tracking the status of a workflow further comprising posting an entry in a personal

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weblog (journal, diary, web page/site/form, discussion board, bulletin board, etc.) to indicate that the workflow action (project task) has occurred (TeamUpdate, Team Status Update, Timesheet – all update project and task status on the project central web site; Steps 1-4, Page 31; Figures 15.17-15.19; 15.28-15.29, 15.36).

Figure 15.30. This message alerts you that the update has been successfully sent to the proje



Regarding Claims 7, 11, and 21 28 MS Project teaches a system and method for tracking the status of a workflow wherein the posting of an entry in the workflow weblog (project central web site) is made in response to a posting of an entry in a personal weblog (e.g. project team members updated their personal Gantt chart and/or project tasks via their personal project home page which in turn updates the entire project website/log; TeamStatus; Steps 1-4, Pages 25-26; Pages 117, 122; Figure 15.15-15.17; Figure 15.36 – responding to a status report).

Regarding Claims 8-9, and 17 MS Project teaches a method and system for tracking the status of a workflow further comprising limiting viewing of the contents of the weblog to a plurality of predetermined users wherein the predetermined users comprise at least one of the at least one members assigned to the weblog (access control, login, etc.; Figure on Page 20).

Regarding Claims 5-6, 12, 15, 20 and 27 MS Project teaches a system and method for tracking the status of a workflow further comprising aggregating the received entries into a weblog (Microsoft Project Central Home Page, Project Plan, etc.) as discussed above.

MS Project does not expressly teach providing a feed to an aggregator wherein the feed comprises an RSS feed from a plurality of weblogs for syndication.

Official notice is taken that providing a feed to an aggregator, the aggregator receiving entries from a weblog wherein the feed comprises provided an RSS feed from a plurality of weblogs for syndication is old and very well known wherein such aggregators/RSS feeds provide a simple way to keep users informed of changes in a plurality of web sites, blogs, weblogs or other online content.

Support for this officially cited fact can be found in at least the following references:

- White, CMS Implementation-project management (2002; “There is reasonable justification with a project of this scope to use some form of collaborative platform and I have seen a Weblog used quite effectively to keep everyone on a project team informed and involved.”; Last Paragraph, Page 3);
- Gillmor, RSS Starting to catch on (2003; Column 2, Paragraphs 1-2; Column 3, Last Two Paragraphs, Page 19); and

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- Arnold, Social Software (2003; Column 1, Last Paragraph; Column 2, Paragraph 1, Page 30).

It would have been obvious to one skilled in the art at the time of the invention that the online (web) system and method for tracking the status of a workflow as taught by the combination of MS Project and Clark would have benefited from utilizing web feeds/syndication (e.g. RSS) to provide team members with a summary of changes to the MS Project Central web site/pages (weblog) thereby enabling them to keep current on the projects status/progress and/or other new project-related information.

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6. Claims 1, 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwanke, U.S. Patent Publication No. 2003/008508 in view of Udell, Telling a Story (2001) in view of Doctorow et al., Essential Blogging (2002) and further in view of Microsoft Project 2000 as evidenced by at least Pyron et al., Using Microsoft Project 2000 (2000; MS Project, herein after MS1) and Security for Microsoft Project Central (2000, herein after MS2).

Regarding Claims 1, 10 and 18 Schwanke teaches a system and method for tracking the status of a workflow (abstract) comprising:

- instantiating an instance of a workflow by a user, the user being assigned to a role in the workflow (Paragraphs 6, 41, 86), the workflow having a plurality of steps (Paragraphs 6-8);

- tracking the status and communicating (notifying) the status (e.g. completion of a workflow step/activity/state) an instance of the workflow (status/state tracking; Abstract; Paragraphs 6, 15, 25; Claim 25; Figure 3) the communication being physically viewable on a display device to workflow members (roles, participants);

Schwanke further teaches a system and method wherein the workflow is executed within a first application ("workflow engine; Abstract; Paragraphs 10, 12; Figure 5) and the workflow status updates are executed within a second application (Paragraphs 25, 39; Figure 3; Claim 25).

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While the use and management of weblog (blogs, bulletin boards, web site postings, forums) is old and well known in project management Schwanke does not expressly teach employing an application to cause communication between the workflow and the weblog to automatically post an entry in the weblog to indicate that a workflow action has occurred as claimed.

Udell, teaches employing an application (to cause communication between the workflow (project) and the weblog to automatically post an entry in the weblog to indicate that a workflow action has occurred (Figure on Page 3; Bullets 1-3, Last Paragraph, Page 3; Paragraphs 2, 4, Bullet 5, Page 4).

Udell further teaches managing a project wherein executed within a first application (external project management tool) and the weblog is executed within a second (separation application (Manilla, Blogger, etc.; Second to Last Paragraph, Page 4; Figure on Page 3).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for tracking the status of a workflow as taught by Schwanke with its ability to automatically communicate the state/status of the workflow would have benefited from utilizing any of a plurality of well known communication methods (email, bulletin boards, etc.) including but not limited to weblogs in view of the teachings of Udell, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did

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separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

While it is old and very well known that weblog systems enable varying levels of permissions, privileges, authorizations and/or access to various groups (roles) of weblog members (e.g. readers vs. authors, blog members vs. owners, etc.). As evidenced discussed above, neither Schwanke nor Udell expressly teach managing weblog member permissions as claimed.

Doctorow et al. teach a system and method for creating and managing Weblogs comprising making the weblog accessible to weblog members, first weblog members with permissions to view weblog information and second weblog members with permissions to view weblog information as well as view and post weblog comments (Last Three Paragraphs, Page 59; Last Paragraph, Page 60; Last Paragraph, Page 119; Paragraphs 1, 3, Page 120; Figures 3-18, 5-25).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for tracking workflow status as taught by the combination of Schwanke and Udell, with its ability to communicate (post) workflow status information on a weblog would have benefited from managing weblog member permissions in view of the teachings of Doctorow et al., since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the

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same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Schwanke does not expressly teach wherein the weblog members include members who are and members who are not workflow users as claimed.

MS Project teaches a system and method for tracking status of a workflow comprising a weblog accessible to weblog members wherein the weblog members include members who are and members who are not workflow users (reference MS1: Portfolio View: Paragraph 1, Page 66, emphasis added, "*Viewing Other Project Plans* One of the collaborative features of Project Central is the **ability to see project and resource information for projects you might not be assigned to**. The *Project Central Administrator is responsible for setting the security to determine the projects and resource assignments you are authorized to see*. There are two functions available to you. The first is *View Your Portfolio*, which displays a list of projects. *You can select a project to see more detail, such as the tasks and resources.*" – wherein it is clear that users/members of the MS Project Central web-based system can view not only the projects for which they are active participants in (workflow users) but also projects that they are not workflow users in ("you might not be assigned to"; i.e. workflows/projects that they are not participating in, not workflow users of; reference MS2: teaches a weblog (web pages of MS Project Central) accessible to weblog members (MS Project Central User Directory, Last Paragraph, Page 6; Figure 6 –

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assign enterprise and project roles to users/resources; Roles, Page 5) wherein the weblog members include members who are and are not workflow users (i.e. views are provided to users/members based on their role in the enterprise and/or the project (specific workflow) e.g. Portfolio View, Assignment View- Paragraph 2, Page;

“Categories To *specify which views a specific team member can see*, you assign the views to a category. You define a category by mapping the list of users to the list of available projects and views. For each category, **you can specify the users that belong to that category, the projects those users can see, and the views with which they can look at the portfolio of projects, individual projects and resource assignment information.**”, Last Paragraph, Page 8, emphasis added; Paragraphs 1-2, Page 9; Figures 7,8 – permissions view; Figure 9).

More generally MS Project Regarding Claims 1, 10, and 18 MS Project teaches a system and method for tracking the status of a workflow (project) comprising:

- instantiating (starting, invoking, enacting, executing, etc.) an instance of a workflow (project) on a computing device by a workflow user (e.g. project manager, administrator), the user being associated with a role in the workflow (e.g. project management, team member/resource, etc.) having a plurality of workflow steps (e.g. project manager vs. team member, etc.; reference MS1: Figures 15.5 – project members posting project tasks/workflow step status; Bullets 1, 3-5, Page 22; Figures 15.3, 15.4, 15.5; Personal Gantt, Figures 15.3, 15.45);
- generating a weblog (log, journal, diary, web page/site, posting, discussion board, bulletin board, threaded discussion, etc.) on a computing device to track an

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instance of the workflow (project; e.g. Project Central Home Page, messages, posted actions, tasks, etc.; reference MS1: Bullets 1, 3-5, Page 22; Figures 15.3, 15.4, 15.5),

- assigning the at least one member to the weblog (e.g. personal home/project page, workgroups; reference MS1: TeamAssign; Steps 1-6, Pages 108-109; Figures 15.6, 15.8-15.9, 15.45);

- the weblog accessible to weblog (team/project) members wherein members have the ability to post and view workflow status and weblog comments (notes; TeamUpdate, Team Status Update, Timesheet – all update project and task status on the project central web site; reference MS1: Steps 1-4, Page 31; Figures 15.17-15.19; 15.28-15.29, 15.36; project task, Team Status; Steps 1-4, Pages 25-26; Pages 117, 122; Figure 15.15-15.17; Figure 15.36 – responding to a status report);

- posting an entry in the weblog to indicate that a workflow action (project task) has occurred wherein the entry being physically viewable on a display device to weblog members (TeamUpdate, Team Status Update, Timesheet; reference MS1: Paragraph 1, Page 118; Steps 1-4, Page 31; Figures 15.17-15.19; 15.28-15.29, 15.36).

It would have been obvious to one skilled in the art at the time of the invention that the system and method as taught by the combination of Schwanke, Udell, Doctorow et al. would have benefited from the ability to manage permissions associated with weblog members and to enable access to both weblog members who are and who are not workflow users, in view of the teachings of MS Project, since the claimed invention is merely a combination of old elements, and in the combination each element

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merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Additionally applicant notes that whether or not a weblog member is or is not a workflow user merely recites non-functional descriptive and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific "status" of a weblog member. Further, the structural elements remain the same regardless of the specific "status" of a weblog member. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCOTT L. JARRETT whose telephone number is (571)272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda Jasmin can be reached on 571.272.6782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott L Jarrett/
Primary Examiner, Art Unit 3624